

Serial No.: 10/505,250

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Status of the Claims

1-35 are pending herein.

Restriction

Restriction to one of the following inventions is required under 35 USC 121 and 372:

Group I, claims 1-14, 20, 33, 35, drawn to microparticle compositions;

Group II, claim 15 drawn to a method for diagnosing a disease;

Group III, claims 16-19, 21, drawn to further methods;

Group IV, claims 22-32, 34 drawn to methods for the production of a microparticle.¹

Applicants hereby elect the Group I claims, i.e. claims 1-14, 20, 33 and 35, for prosecution on the merits in this application.

As noted in the Office Action, if applicant elects claims directed to the product, and a product claim is subsequently found allowable, withdrawn process claims which depend from or otherwise include all the limitations of the allowable product claim will be considered for rejoinder. See also MPEP 821.04.

Election of Species

Election between various species is required under 35 USC 121.

Applicant hereby elects the following species for further prosecution on the merits to which the claims shall be restricted if no generic claim is finally held allowable:

(a) poly(α -hydroxy acid) and poly(D,L-lactide-co-glycolide);

(b) meningitis B antigens;

(c) adjuvant and CpG oligonucleotides;

Claims 1-13, 20, 33 and 35 are readable upon the elected species.

¹ Claim 34 as been added to Group IV, as its omission from the Examiner's restriction requirement was an apparent oversight.

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CONCLUSION

It is respectfully submitted that all elected claims are in condition for allowance. Should the Examiner be of the view that an interview would expedite consideration of the application, request is made that the Examiner telephone the Applicants' attorney at (703) 433-0510 in order that any outstanding issues be resolved.

CORRESPONDENCE

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Respectfully submitted,



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I hereby certify that this document and any document referenced herein is being sent to the United States Patent and Trademark office via Facsimile to: 571-273-8300 on

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